

REMARKS

Claims 1-13 and 25 are pending in this application. Claim 6 has been amended to correct a grammatical error. Claim 7 has been amended to further clarify applicant's invention as required by the examiner. It is respectfully submitted that these amendments are supported by the specification as originally filed and that no new matter has been added.

The examiner argued that the recitation of the limitation of "low" in claim 5 render the claims indefinite because they are relative terms whose meaning cannot be readily ascertained by one with ordinary skill in the art and are not defined by the specification. Applicant respectfully disagrees.

The specification discloses on page 9, lines 14-18

"Figure 2 shows the vibration sensor 10 used in a normally locked door 22 of, for example, a building. The door uses a magnetic lock 21 or any well known locking device that can automatically lock and unlock a door. Magnetic locks generally are operated on low voltages, such as 12 or 24 volts DC.";

and page 13, lines 4-16:

"Figure 4 shows a regulated power supply box 40 which is used to supply power to a magnetic lock system. Inside a box is stored a regulated DC power supply module 32, a terminal and fuse board 33, a seismic sensor board 25, 12

volt or 24 volt backup batteries 46, and the seismic or vibration sensor 10. The box 40 has a door 41 which can be locked to prevent unauthorized entry. The reset switch 23 and the green light 28 are preferably mounted on the door 41 so that they are accessible from the front of the door 41. An outside power source such as the 110 volts AC from the main power lines is connected to the DC power supply module 32, which reduces the voltage to 12 or 24 volts DC for use with the door system. If the main power line is lost, the backup batteries 46 supply the power needed to control the door 22."

Thus, the specification defines and provides adequate support for the alleged conflicting limitation.

The examiner rejected claims 1-5 under 35 U.S.C. 102(e) as being anticipated by U.S. patent 5,992,094 (Diaz). This rejection is respectfully traversed.

35 U.S.C. 102(e) recites:

(e) the invention was described in - (1) an application for patent, published under section 122(b), by another (emphasis added) filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another (emphasis added) filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United

States and was published under Article 21(2) of such treaty
in the English language;

In the instant case, both the above-referenced patent and the instant application are commonly owned by the same inventive entity. A declaration under 37 C.F.R. § 1.132 is enclosed to establish common inventorship for the patent and the instant application. Accordingly, this rejection is improper and withdrawal of the rejection is respectfully requested.

The examiner rejected claims 6-8 under 35 U.S.C. 103(a) as being unpatentable over Diaz as applied to claims 1-5 above, and further in view of JP 08-209996. At least for the above-mentioned reason this rejection is improper and withdrawal of the rejection is respectfully requested.


The examiner rejected claim 25 under 35 U.S.C. 103(a) as being unpatentable over Diaz as applied to claims 1-5 above, and further in view of U.S. patent 4,354,699 (Logan). At least for the above-mentioned reason this rejection is improper and withdrawal of the rejection is respectfully requested.

Applicant acknowledges the prior art made of record and not relied upon. It is believed that the references fail to teach or fairly suggest the claimed invention.

Accordingly, it is respectfully submitted that the application stands in condition for allowance. The Examiner's further consideration and favorable action are respectfully requested.

Respectfully Submitted,

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